

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 29, 2000

APPLICATION OF

ROBERT A. WINNEY d/b/a
THE WATERWORKS COMPANY OF
FRANKLIN COUNTY

CASE NO. PUE000093

To change rates and charges

DISMISSAL ORDER

Before the Commission is the Report of Alexander F. Skirpan, Jr., Hearing Examiner, filed in this proceeding on June 13, 2000. In his Report, the hearing examiner recommended that the Commission dismiss this application to change rates and charges on the grounds that Robert A. Winney d/b/a The Waterworks Company of Franklin County ("The Waterworks Company" or "Company") had failed to comply with the notice requirements of our Order for Notice and Hearing of April 14, 2000 (Document Control Center No. 000420182, filed April 14, 2000). As provided by the Report, any comments were to be filed with the Clerk of the Commission on or before June 28, 2000. None were filed. Upon consideration of the record and the Report, the Commission will dismiss the application.

By our Order for Notice and Hearing of April 14, 2000, the Commission suspended through June 30, 2000, the proposed

increase in the quarterly charge for service from \$67.50 to \$80.50. The Commission also suspended the proposed connection charge of \$1,000 through June 30, 2000. The proposed quarterly rate for service of \$80.50 and the proposed connection charge of \$1,000 would have taken effect, on an interim basis subject to refund, on and after July 1, 2000. Our dismissal of the application bars putting the proposed rates into effect.

The Commission is concerned, however, that some customers may have paid for service billed at the higher, proposed quarterly rate. Likewise, the Commission is concerned that some customers may have paid the proposed connection charge. Accordingly, the Commission will direct refunds of any overpayment of the quarterly charge for service and of any payment of the connection charge. In lieu of cash refunds to customers who may have paid a bill for the third quarter of 2000 (July, August, September) based on the higher proposed rate, the Commission directs that the Company credit these customers' accounts for \$13.00 to reflect the overpayment. We also direct the Company to refund promptly any connection fee it may have collected. Accordingly,

IT IS ORDERED THAT:

(1) The Company's application to change rates and charges be dismissed from the Commission's docket.

(2) On or before July 17, 2000, the Company shall enter a credit of \$13.00 to the account of each customer who paid a bill for the third quarter of 2000 based on a rate of \$80.50.

(3) On or before July 17, 2000, the Company shall make refund by check in the amount of \$1,000 to each customer who paid a connection fee.

(4) On or before August 1, 2000, the Company shall file with the Clerk of the Commission, Document Control Center, State Corporation Commission, P.O. Box 2118, Richmond, Virginia 23218-2118, a report including the names and complete mailing addresses of all customers that received a credit as directed in (2) above and the name, mailing address, and Company check number of all persons receiving a refund as directed in (3) above.